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# REVIEW OF SECTORAL CLUSTERS, FIRST PHASE: TOXIC CHEMICALS AND HAZARDOUS WASTES

## Draft decision by the Chairman

### Hazardous wastes

1. The Commission on Sustainable Development, at its second session, considering agenda item 6 (b), noted with concern that many countries faced severe and urgent health and environmental problems due to the production and mismanagement of hazardous waste by industrial and other economic activities, as a result of:

(a) The lack of environmentally sound waste treatment facilities and appropriate technologies;

(b) The lack of information and expertise;

(c) The lack of preventive approaches;

(d) The lack of financial resources to cover the enormous costs of treatment and remedial action;

(e) The illegal traffic in hazardous waste both nationally and across boundaries.

2. The Commission welcomed the progress achieved in the area of hazardous wastes and in that regard endorsed:

(a) The decisions taken by the Parties to the Basel Convention at their second meeting, which, inter alia, prohibited immediately all transboundary movement of hazardous wastes destined for final disposal from States that are members of the Organisation for Economic Cooperation and Development (OECD) to

non-OECD States, and the phase-out by 31 December 1997 of all transboundary movement of hazardous wastes that are destined for recycling and recovery, from OECD to non-OECD States;

(b) The decision to ban ocean dumping of industrial waste taken at the International Maritime Organization (IMO) by the Contracting Parties of the London Convention that is effective on 1 January 1996;

(c) Recent actions taken by the United Nations Environment Programme (UNEP), the United Nations Industrial Development Organization (UNIDO), the World Health Organization (WHO), the International Labour Organization (ILO), IMO and other relevant organizations of the United Nations system and at national levels.

3. The Commission stressed, however, that the current situation needed further concrete action by Governments, international organizations, non-governmental organizations and the private sector in order to implement chapter 20 of Agenda 21 1/ and emphasized, while taking into account the state of development of each country, that particular attention should be given to:

(a) The prevention, to the extent possible, of hazardous wastes and a minimization of their toxicity through the development, dissemination and application of an integrated cleaner production approach in all planning, such as the UNIDO/UNEP Cleaner Production Centres, and the use of an appropriate mix of institutional and regulatory measures as well as economic instruments;

(b) The environmentally sound management and disposal of waste with a view to ensuring the principle of proximity and self-sufficiency.

4. The Commission urged Governments to:

(a) Ratify or accede to the Basel Convention and to develop adequate control regimes, such as customs procedures, as well as methods and tools of detection.

(b) Support the fund established by the Contracting Parties to the Basel Convention, which is still very short of resources, to specifically support developing countries' hazardous waste minimization and management needs.

5. The Commission urged the Parties to the Basel Convention to develop procedures and guidelines for the implementation of the recent decisions taken by the Parties at their second meeting, and, in cooperation with relevant units of UNEP as well as UNIDO and WHO, to assist specific developing countries on a

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1/ Report of the United Nations Conference on Environment and Development, Rio de Janeiro, 3-14 June 1992, vol. I, Resolutions adopted by the Conference (United Nations publication, Sales No. E.93.I.8 and corrigendum), resolution 1, annex II.

pilot basis, within the period 1994-1995, with the development of a legal framework for hazardous wastes management, the preparation and implementation of hazardous wastes management plans in specific geographical areas and capacity-building in the field.

6. The Commission invited the Conference of the Parties to the Basel Convention to consider the feasibility of developing non-compliance procedures for the Convention.

7. The Commission urged the secretariat of the Basel Convention to undertake case studies of the illegal traffic in hazardous wastes and of wastes whose status is ill-defined and that are destined for recycling activities.

8. The Commission urged that the illegal disposal of tanker sludge and ballast water into marine waters be given high priority and recommended that they be subject to relevant requirements of the appropriate international conventions.

9. The Commission welcomed the efforts to develop regional arrangements similar to the Bamako Convention for the African region.

10. The Commission recalled and reaffirmed UNEP Governing Council decision 17/5 on the application of environmental norms by the military establishment and urged Governments to take action to fully implement the decision.

11. The Commission invited UNEP to consider the feasibility of arranging regional meetings in cooperation with the United Nations regional commissions and regional organizations on the implementation of the decision and on how national environmental plans for the military establishment relating to hazardous waste management could be designed and implemented.

12. The Commission recommended that the following actions and measures be taken at the national level:

(a) Governments should establish and/or strengthen national institutions to manage hazardous wastes;

(b) Governments should develop and reinforce laws and regulations on hazardous wastes and strengthen their enforcement;

(c) Governments should, on the basis of toxic release inventories providing information on sources and quantities of hazardous wastes, develop and enhance integrated national hazardous waste management plans, taking into account all sources and fates of hazardous waste, e.g., industry, military establishments, agriculture, hospital and households;

(d) Priority should be given to activities designed to promote cleaner production, prevention and minimization to the extent possible of hazardous waste through applying the life-cycle approach and the provision of adequate information, research, development and demonstration activities as well as training and education;

(e) Case-studies on specific industry sectors should be launched in different countries, with particular emphasis on small- and medium-sized enterprises;

(f) Effective systems should be developed and maintained for the segregated collection of wastes, and incentives should be provided to encourage the segregation, recycling, reuse and reclamation of hazardous wastes.

13. In order to give support to national activities, the following regional and international measures should be taken:

(a) Efforts to support the exchange of information among and between developed and developing countries on the minimization and environmentally sound management of hazardous waste in support of the transfer of environmentally sound technologies should be increased;

(b) Focused training activities adapted to the specific local needs should be conducted.

14. The Commission underlined that production facilities transferred to developing countries and economies in transition should have environmentally sound waste management plans, so that the waste generated by those facilities, either by its quantity or quality, should not be harmful to the environment of those countries.

15. The Commission urged industry to develop voluntary codes of conduct for the use of clean technologies and the safe management of hazardous waste in all countries where they operated.

16. The Commission took note of the relevant provisions of the Programme of Action for the Sustainable Development of Small Island Developing States, 2/ adopted at the Global Conference on the Sustainable Development of Small Island Developing States, and urged that adequate support be given to various strategies identified in the Programme of Action for the management of hazardous wastes.

17. The Commission welcomed the proposal of Poland to join with UNEP in hosting an international symposium on cleaner production to strengthen the international activities in that field in Poland from 12 to 14 October 1994. Initiatives that minimize the production of hazardous wastes will contribute to advances in the area and offer economic advantages.

18. The Commission equally welcomed the proposal of Germany to host an international workshop in 1994 on the minimization and recycling of waste, including the development of strategies towards life-cycle management, which could also contribute to hazardous waste reduction.

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2/ Report of the Global Conference on the Sustainable Development of Small Island Developing States, Bridgetown, Barbados, 26 April-6 May 1994 (United Nations publication, forthcoming), resolution 1, annex II.

19. The Commission stressed the need for:

(a) Governments and relevant international organizations to develop economic instruments and consider mobilizing additional financing earmarked for hazardous waste management, and other measures to facilitate the prevention of hazardous waste, such as eco-labelling and mandatory take-back of used products;

(b) International organizations to harmonize testing methodologies and hazardous waste nomenclature, taking into account the work done by OECD;

(c) National and international institutions to assess the full dimension of soil and groundwater contamination, in particular that due to improper storage and disposal of hazardous wastes;

(d) Governments should require the necessary prevention and remedial actions to be undertaken to address the problems of contaminated soil and groundwater.

20. The Commission stressed the need for full implementation of the agreements on technology transfer contained in chapter 34 of Agenda 21 and the relevant decisions of the Commission. In that context, the Commission urged the international community to find concrete ways and means of transferring to developing countries and economies in transition appropriate technologies as regards the prevention, minimization, treatment, disposal techniques and remedial action of hazardous wastes.

21. The Commission urged Governments to mobilize financial resources to respond to the above priorities, as agreed in Agenda 21, chapter 33, and the relevant decisions of the Commission.

22. The Commission invited the task manager, UNEP, to continue to monitor progress made by the United Nations and other international agencies in implementing chapter 20 of Agenda 21 and to inform the Commission periodically of such progress through IACSD.

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